

## Coast Guard, DHS

## § 39.10-1

(b) If the Officer in Charge, Marine Inspection rejects the proposal, the Officer in Charge, Marine Inspection informs the owner of the reasons why the proposal is rejected.

(c) If the Officer in Charge, Marine Inspection accepts the proposal, then the owner shall ensure that—

(1) The proposal is followed; and

(2) Nondestructive testing is performed by personnel meeting ASNT “Recommended Practice No. SNT-TC-1A (1988), Personnel Qualification and Certification in Nondestructive Testing.”

(d) Within 30 days after completing the nondestructive test, the owner shall submit a written report of the results to the Officer in Charge, Marine Inspection.

[CGD 85-061, 54 FR 50963, Dec. 11, 1989]

### § 38.25-5 Removal of defective tanks—TB/ALL.

If a tank fails to pass the tests prescribed in this subpart, it shall be removed from service unless otherwise authorized by the Commandant.

### § 38.25-10 Safety relief valves—TB/ALL.

(a) The cargo tank safety relief valves shall be inspected at least once in every 2 years.

(b) The safety relief valve discs must be lifted from their seats in the presence of a marine inspector by either liquid, gas, or vapor pressure at least once every 5 years to determine the accuracy of adjustment and, if necessary, must be reset.

[CGFR 66-33, 31 FR 15269, Dec. 6, 1966, as amended by CGD 95-027, 61 FR 26000, May 23, 1996]

## PART 39—VAPOR CONTROL SYSTEMS

### Subpart 39.10—General

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39.20-11 Vapor overpressure and vacuum protection—TB/ALL.

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### Subpart 39.30—Operations

39.30-1 Operational requirements—TB/ALL.

### Subpart 39.40—Lightering and Topping-Off Operations with Vapor Balancing

39.40-1 General requirements for vapor balancing—TB/ALL.

39.40-3 Design and equipment for vapor balancing—TB/ALL.

39.40-5 Operational requirements for vapor balancing—TB/ALL.

AUTHORITY: 33 U.S.C. 1231; 46 U.S.C. 3306, 3703, 3715(b); 45 FR 58801, 3 CFR, 1980 Comp., p. 277; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 88-102, 55 FR 25446, June 21, 1990, unless otherwise noted.

## Subpart 39.10—General

### § 39.10-1 Applicability—TB/ALL.

(a) Except as specified by paragraph (c) of this section, this part applies to each tank vessel operating in the navigable waters of the United States, when collecting vapors of crude oil, gasoline blends, or benzene emitted from a vessel's cargo tanks through a vapor control system.

(b) A tank vessel which transfers vapors of flammable or combustible cargoes other than crude oil, gasoline blends, or benzene, to a facility covered by 33 CFR part 154 must meet the requirements prescribed by the Commandant (G-MSO).

(c) A tank vessel with an existing vapor collection system specifically approved by the Coast Guard for the collection of cargo vapor which was operating prior to July 23, 1990, is subject only to § 39.30-1 and § 39.40-5 of this part as long as it transfers cargo vapor only to the specific facilities for which it was approved.

### § 39.10-3

(d) This part does not apply to the collection of vapors of liquefied flammable gases as defined in § 30.10-39 of this subchapter.

[CGD 88-102, 55 FR 25446, June 21, 1990, as amended by CGD 95-072, 60 FR 50462, Sept. 29, 1995; CGD 96-041, 61 FR 50727, Sept. 27, 1996]

### § 39.10-3 Definitions—TB/ALL.

As used in this part:

*Cargo deck area* means that part of the weather deck that is directly over the cargo tanks.

*Existing vapor collection system* means a vapor collection system which was operating prior to July 23, 1990.

*Facility vapor connection* means the point in a facility's fixed vapor collection system where it connects with the vapor collection hose or the base of the vapor collection arm.

*Independent* as applied to two systems means that one system will operate with a failure of any part of the other system except power sources and electrical feeder panels.

*Inerted* means the oxygen content of the vapor space in a cargo tank is reduced to 8 percent by volume or less in accordance with the inert gas requirements of § 32.53 or § 153.500 of this chapter.

*Lighttering* or *lighttering operation* means the transfer of a bulk liquid cargo from a tank vessel to a service vessel.

*Marine Safety Center* means the Commanding Officer, U.S. Coast Guard Marine Safety Center, 1900 Half Street, SW, Suite 1000, Room 525, Washington, DC 20024 for visitors. Send all mail to Commanding Officer, U.S. Coast Guard Marine Safety Center, JR10-0525, 2100 2nd Street, SW., Washington, DC 20593, in a written or electronic format. Information for submitting the VSP electronically can be found at <http://www.uscg.mil/HQ/MSC>.

*Maximum allowable transfer rate* means the maximum volumetric rate at which a vessel may receive cargo or ballast.

*New vapor collection system* means a vapor collection system which is not an existing vapor collection system.

*Service vessel* means a vessel which transports bulk liquid cargo between a facility and another vessel.

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*Topping-off operation* means the transfer of a bulk liquid cargo from a service vessel to another vessel in order to load the receiving vessel to a deeper draft.

*Vapor balancing* means the transfer of vapor displaced by incoming cargo from the tank of a vessel receiving cargo into a tank of the vessel or facility delivering cargo via a vapor collection system.

*Vapor collection system* means an arrangement of piping and hoses used to collect vapor emitted from a vessel's cargo tanks and to transport the vapor to a vapor processing unit.

*Vapor control system* means an arrangement of piping and equipment used to control vapor emissions collected from a vessel. It includes the vapor collection system and vapor processing unit.

*Vapor processing unit* means the components of a vapor control system that recovers, destroys, or disperses vapor collected from a vessel.

*Vessel vapor connection* means the point in a vessel's fixed vapor collection system where it connects with the vapor collection hose or arm.

[CGD 88-102, 55 FR 25446, June 21, 1990, as amended by USCG-2007-29018, 72 FR 53965, Sept. 21, 2007]

### § 39.10-5 Incorporation by reference—TB/ALL.

(a) Certain materials are incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than the one listed in paragraph (b) of this section, notice of change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material is on file at the U.S. Coast Guard, Office of Operating and Environmental Standards (G-MSO), 2100 Second Street, SW., Washington, DC 20593-0001, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). All material is available from the sources indicated in paragraph (b) of this section.